



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



A4k  
1.92  
3/6/00

Docket No. A-57004-4/RFT/JJD

Anticipated Classification of this Application:

Class: Subclass:

Prior Application

Examiner: I. Yucel

Art Unit: 1636

"EXPRESS MAIL" MAILING LABEL

NUMBER EM013764903

DATE OF DEPOSIT November 2, 1999

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING  
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37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS  
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WASHINGTON, DC 20231.

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SIGNED

**Box PATENT APPLICATION FEE**  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a request for filing

☐ an Original

☒ a Continuation

☐ a Divisional

☐ a Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of

Archana Kapoor, La Jolla, CA; Anil Munshi, LaJolla, CA

(Names of ALL Applicants)

for MEMBRANE-ASSOCIATED IMMUNOGENS OF MYCOBACTERIA

(Title of Invention)

This ☒ continuation ☐ divisional ☐ continuation-in-part

claims priority to pending application Serial No. 09/099,902, filed on 6/18/98, which is a divisional of application  
08/710,676, filed on 9/23/96, which is a divisional of application Serial No. 08/192,632, filed on 2/7/94, now  
issued patent no. 5,559,011; which is a divisional of application Serial No. 07/906,395, filed on 6/29/92, now issued  
patent. no. 5,330,754.

1. Enclosed is a

(a) ☐ new application.

(b) ☐ a continuation-in-part application.

(c) ☒ a copy of the prior application.

2. (a) ☐ Enclosed is a new Declaration.

(b) ☒ Enclosed is a copy of the prior Declaration as originally filed.

3. (a) ☐ Enclosed is a Small Entity Affidavit.

(b) ☒ A Small Entity Affidavit is of record in the prior application.

4. ☒ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1) NO. FILED	(Col. 2) NO. EXTRA	SMALL ENTITY RATE FEE	OTHER THAN SMALL ENTITY RATE FEE
BASIC FEE			\$395	\$790
TOTAL CLAIMS	1 - 20 = 0	0	x 11 = \$	x 22 = \$
INDEP CLAIMS	1 - 3 = 0	0	x 41 = \$	x 82 = \$
MULTIPLE DEPENDENT CLAIM PRESENTED			+ 135 = \$	+ 270 = \$
If the difference in Col 1 is less than zero, enter "0" in Col. 2			TOTAL \$395	TOTAL \$

5. ☒ No check is enclosed, the Commissioner is hereby authorized to charge any fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. A-57004-4/RFT/JJD).

6. ☐ Our check in the amount of \$\_\_\_\_\_ is enclosed.

7. ☒ Cancel in this application original claims 2-23 of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)

8. ☒ Amend the specification by inserting before the first line the sentence:

-This is a ☒ continuation ☐ divisional ☐ continuation-in-part

*al* of application Serial No. 09/099,902, filed on 6/18/98, which is a divisional of application Serial No. 08/710,676, filed 9/23/96, which is a divisional of application Serial No. 08/192,632, filed on 2/7/94, now issued patent no. 5,559,011; which is a divisional of application Serial No. 07/906,395, filed on 6/29/92, now issued patent no. 5,330,754.

9. (a) ☒ Informal drawings are enclosed.

(b) ☐ Formal drawings are enclosed.

10. (a) \_\_\_\_\_ Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119.

(b) \_\_\_\_\_ The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_.

11. \_\_\_\_\_ An Assignment is enclosed.

12. \_\_\_\_\_ The prior application is assigned of record to \_\_\_\_\_

13. \_\_\_\_\_ A Power of Attorney by Assignee is enclosed.

14. ☒ The power of attorney in the prior application is to:  
Name: Flehr Hohbach Test Albritton & Herbert LLP  
Address 4 Embarcadero Center, Suite 3400  
San Francisco, CA 94111

(a) ☒ The power appears in the original papers in the prior application.

(b) \_\_\_\_\_ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

(c) \_\_\_\_\_ Address all future communications to:


FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Suite 3400, Four Embarcadero Center  
San Francisco, California 94111-4187  
Telephone: (415) 781-1989

15. ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

16. \_\_\_\_\_ A Prior Art Statement is enclosed.

17. ☒ I hereby verify that the attached papers are a true duplicate of prior application Serial No. 09/099,902 as originally filed on 6/18/98.

Date: November 2, 1999

Signature:   
Richard F. Trecartin  
Reg. No. 31,801

Address of Signer:

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
4 Embarcadero Center, Suite 3400  
San Francisco, CA 94111  
Telephone: (415) 781-1989

X

Attorney or agent of record

\_\_\_\_\_

Filed under Section 1.34(a)